

FISCAL NOTE

SB 2958 - HB 2998

March 16, 2000

SUMMARY OF BILL:

1. Requires the Department of Environment and Conservation to allow the use of a single-home on-site aerobic sewage treatment plant without a field-line system, in any area that is geologically undesirable for a single home septic tank and conventional drain system for the final disposal of waste water. The treatment plant must meet or exceed the requirements of ANSI/NSF Standard 40. The homeowner must maintain a valid biennial permit issued by the Department of Environment and Conservation.
2. Provides that the Department of Environment and Conservation shall issue or renew a biennial permit for such treatment plant if the following requirements are met:
 - Application for issuance of a permit submitted by the homeowner to the department at least 90 days prior to intended utilization of the treatment plant or in the case of a request for renewal of an existing permit, at least 45 days prior to the current permit's expiration.
 - A non-refundable permit fee in an amount determined by the Department of Environment and Conservation is submitted with the application.
 - The initial application must include documentation from a licensed contractor, trained and certified by the manufacturer and registered with the department, indicating that the treatment plant has been installed in full compliance with manufacturer's specifications and departmental rules.
 - Each application must also include a copy of a signed service contract, valid and binding for the full period of the requested permit. The contract must be with a technician that is trained and certified by the manufacturer and registered with the department. The contract must require at least quarterly inspections with necessary adjustments to maintain and repair the electrical, mechanical and other component parts of the treatment plant as needed to protect the public health and water quality.
 - The application must be accompanied by a valid permit issued by the Water Quality Control Board authorizing the use of alternative methods for final disposal of wastewater.
3. Authorizes the Department of Environment and Conservation to:
 - Impose a fine and/or suspend or revoke departmental registration of any contractor or technician whose negligent actions, omissions or practices, with respect to on-site aerobic sewage treatment plants, jeopardize the public health or water quality.

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- A person who knowingly submits false information or who knowingly assists another in submitting false information, to the Department of Environment and Conservation or the Water Quality Control Board for the purpose of securing or retaining a permit for an on-site aerobic sewage treatment plant commits a Class A misdemeanor.
- Promulgate appropriate rules as may be necessary to implement policies and procedures governing permit applications, permit fees, registration procedures and fees for contractors and technicians, treatment plant operation and maintenance and wastewater disposal methods.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$1,193,710 Recurring
\$60,000 One-Time**

Increase State Revenues - Exceeds \$1,000,000

Increase Local Govt. Revenues - Not Significant

Increase Local Govt. Expenditures - Not Significant

Estimate assumes:

- The Department of Environment and Conservation would need 20 positions and related expenses to implement the permitting requirements of this bill and to monitor existing permits. According to the department if the final disposal is done without a field line, application for a permit must be made to the Water Quality Control Board in addition to the permit required for the unit itself. Estimate assumes most requests for permits will be for such above ground units.
- An increase in state revenues from applicants paying application and system fees.
- Local government expenditures and revenues would depend on the number of persons convicted of this offense and the resulting cost to confine such persons versus the increased revenues from fines levied and collected under the provisions of this bill.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director